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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

Dimonique Gibbs, individually;

Case No.: 2:23-cv-01896-JCM-MDC

13 Plaintiff,

14 vs.

15 **Bonnie Lyn Gutweiler, individually;**
 16 **Heding Truck Service, Inc., A Domestic**
 17 **Business, DOES I through X; AND ROE**
Corporations I through X, inclusive,

18 Defendants.

Stipulation and Order Regarding
FRCP 35 Examination of Plaintiff

19
 20 Plaintiff Dimonique Gibbs, by and through her counsel of record, H & P LAW,
 21 Defendants Bonnie Lyn Gutweiler, individually; Heding Truck Service, Inc., by and
 22 through their counsel of record, THORNDAL ARMSTRONG, PC stipulate that good
 23 cause pursuant to FRCP 35 exists for Plaintiff to undergo a Rule 35 medical
 24 examination conducted by Glen Lipson, MD on July 10, 2025 at 9 a.m. located at
 25 Western Reporting Services, 801 S. Rancho Drive, Las Vegas, NV 89106, subject to
 26 the following:

27 1. No other medical provider will be present during the examination other than
 28 Dr. Lipson and a member of his staff, absent agreement between the parties. Dr.



1 Lipson, has advised that he will be conducting the examination alone.

2 2. Ms. Gibbs will have a medical professional observer present at the
3 examination. She will identify the observer and her relationship to the observer no
4 later than twenty-four (24) hours prior to the examination.

5 3. The observer will not in any way interfere, obstruct, or participate in the
6 examination and will sit behind Ms. Gibbs. NRCP 35(a)(4)(C); NRS 52.380). If the
7 observer disrupts or attempts to participate in the examination, Dr. Lipson may
8 terminate the examination, and the examination will be renoted (with a different
9 observer present) at the expense of the Plaintiff. NRS 52.380.

10 4. Any intake paperwork from Dr. Lipson's office must be sent to Plaintiff's
11 counsel no later than five (5) business days prior to the examination. Ms. Gibbs will
12 return the completed paperwork to defense counsel at least one (1) business day
13 prior to the examination.

14 5. No invasive or other diagnostic testing outside of the examination itself, such
15 as x-rays and bloodwork, may be conducted.

16 6. Neither Dr. Lipson nor any member of his staff may ask Ms. Gibbs questions
17 relating to liability, the value of the case or anything that will be attorney-client
18 privileged, however, Dr. Lipson will conduct a clinical interview and may ask
19 questions regarding Ms. Gibbs' psychological status and the claimed injuries
20 sustained in the subject incident.

21 7. Ms. Gibbs will audio record the examination. Any audio recording must be
22 done professionally by a third party at the expense of the plaintiff. Ms. Gibbs will
23 provide a copy of the audio recording to the Defendants within thirty (30) days of the
24 examination. Defendants will notify Plaintiff within seven days prior to the
25 examination if Dr. Lipson will audio record the examination. If Dr. Lipson does audio
26 record the examination, the Defendants will provide a copy of that audio recording
27 within thirty (30) days of the examination.

28 8. The examination will begin at 9:00AM and will terminate at 5:00PM. There will

1 be one hour for a lunch break and periodic breaks as needed. If, however, the
 2 examination appears as if it will take longer, Ms. Gibbs and/or Dr. Lipson and/or the
 3 observer will contact counsel to address the issue before Ms. Gibbs leaves the office.

4 9. Ms. Gibbs will not be required to undress for the examination but will come
 5 dressed in loose-fitting clothing to allow for examination.

6 10. Within 30 days of the examination, Defendants will disclose Dr. Lipson's Rule
 7 35 exam report.

8 DATED this 9th day of July, 2025

DATED this 9th day of July, 2025

9 H&P LAW

THORNDAL ARMSTRONG, PC

10 */s/ Marjorie Hauf*

/s/ Bruce Scott Dickinson

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*Bonnie Gutweiler and Heding Truck
 Service, Inc.*

21 **ORDER**

22 UPON STIPULATION of the parties and with good cause shown therefore, the
 23 examination of Plaintiff Dimonique Gibbs pursuant to FRCP 35.

24 IT IS SO ORDERED.

25 Respectfully submitted by:
 26 H&P LAW

27
 28 Hon. Maximiliano D. Couvillier III
 United States Magistrate Judge
 Date: 7/10/2025

/s/ Marjorie Hauf
 Bre'Ahn Brooks, Esq.
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